

over sanitation and other matters just like the Town Improvement Committees. The depressed classes should be well represented in the Panchayat Courts. The Hindu judges of the Panchayat Courts should be invested with powers of inspection and supervision of management in Hindu temples. The pecuniary jurisdiction of the Courts should be raised from Rs. 30 to Rs. 50. So far as the Parur Panchayat Court was concerned, the Member submitted that its jurisdiction was too small. Either the area of the Parur Court should be enlarged so as to include it in the *pakuthies* of the whole taluk or at least Vadakekkara, Parur, Kottuvally and Ezhikkara *pakuthies*. If that was not possible, two Panchayat Courts should be opened in the whole taluk. As the term of membership of judges would expire at the end of 1935, the opportunity should be taken to have the judges elected by the people from among the tax-payers of the respective *pakuthies*, each *pakuthi* having one judge in the Court. The President also should be elected by the judges. The Member here mentioned that the Parur Panchayat Court recommended to the High Court to extend its territorial jurisdiction and enhance the pecuniary jurisdiction to Rs. 50 and that no final orders had yet been passed.

(2) The Panchayat Courts should be invested with Magisterial powers up to third class. The Tahsildars found very little time to attend to revenue matters and wanted relief from their magisterial duties. If the Panchayat Courts could not be invested with powers to try criminal cases, then a Bench of Honorary Magistrates should be instituted as in British India.

(3) Under the existing arrangements for the trial of criminal offences, the presiding officer in a Court was both judge and jury which was not desirable for an impartial administration of justice. The introduction of trial by jury was the best way to solve the difficulty.

(4) The separation of Devaswom from Magisterial functions was a much-needed reform for the simple reason that there was no efficient management of the Devaswoms at all by the Tahsildars whose hands were otherwise full. Certain sections now complained that they had no access to the Land Revenue Department because of the management of Hindu temples vested in the Tahsildars. Their grievances could also be redressed.

(5) Greater attention should be paid to the patrolling of constables during night.

Dewan's reply.—Noted.

(3) CRIMINAL JUSTICE.

40. Desirability of investing the local Tahsildar with First Class Magisterial powers.

Mr. Ittan Krishnan (Member, Shertallay taluk) thanked the Government for having made the local Tahsildar a First Class Magistrate also. He requested that two more Police Stations might be established—one at Kunjithai and the other at Thanneermukam. The former was close to the beach where there was a large population among whom thefts seemed to be frequent. If a station were established, it would go a long way to stop crime. Thanneermukkam was frequented by a large number of steam and other boats, which, in the course of their journeys to and fro, used to halt there for both landing and taking passengers. That was also the place where accidents often occurred. The necessity for a Police Station there was great. A large number of cases from that place were being filed in the Magistrate's Court.

Dewan's reply.—The representation will be referred to the Police Commissioner for report.

41. Establishment of a Stationary Magistrate's Court at Muvattupuzha and the investing of the Tahsildar with First Class Magisterial powers.

Mr. Mathai Abraham (Member, Muvattupuzha taluk) thanked the Government for sanctioning the establishment of a Stationary Magistrate's Court at Muvattupuzha. He then pointed out that the taluk was under the jurisdiction of the First-Class Magistrate at Perumbavur, the head-quarters of the Kunnathnad

taluk and that the people of the interior villages of the taluk experienced immense hardship in having to go all the way to Perumbavur. Muvattupuzha was an important centre connected with the interior villages by good cartable roads and it also possessed all the public offices and a big market. In view to obviate the inconveniences of the people mentioned above, the Member requested that the local Tahsildar-Magistrate might be invested with First Class Magisterial powers.

Dewan's reply.—Noted.

42. The necessity for the transfer of the Additional First Class Magistrate's Court at Perumbavur to Alwaye.

Mr. M. K. Kadir Pillai (Member, Alengad taluk) conveyed to Government the thanks of the Mahomedan community for the nomination of a Mahomedan member to the Legislative Council and also the appointment of a Mahomedan Inspector of Schools. He then stated that about 40 years back there was a District Court at Alwaye, but it was afterwards shifted to Parur. The civil jurisdiction over some of the *pakuthies* of the Alengad taluk was vested in the Perumbavur Munsiff's Court and the people of those *pakuthies* were put to much hardship, since they had to cross the Alwaye river and go to Perumbavur. The necessity for a Munsiff's Court at Alwaye had been urged at the various Sessions of the Assembly, but a court had not yet been sanctioned by Government. The establishment of a Village Panchayat Court alone without a Munsiff's Court was a source of real grievance to the people, because the litigant public had to resort to the latter court for taking execution proceedings in respect of decrees granted by the former court. He, therefore, urged the necessity for the establishment of a Munsiff's Court at Alwaye.

The Member next referred to the First Class Magistrate's Court at Perumbavur and said that it could, with advantage, be shifted to Alwaye, as the town of Alwaye was fast growing in importance and was in every way more convenient and centrally situated than Perumbavur.

Dewan's reply.—The representation of the Member will be referred to the High Court again.

43. Immediate necessity for re-instating at Shencottah a full-timed Munsiff's Court or at least a Munsiff-Magistrate's Court with enlarged powers and jurisdiction.

Mr. A. Ponnambalam Pillai (Member, Shencottah taluk) traced the origin of the Court to 1010 when a Civil Court was first established, as Shencottah was a frontier taluk. The distance of the several villages from the court-house varied up to 16 miles. The Tahsildar continued to do the duties of a Munsiff even after separate Munsiffs were appointed for the then Courts in the State, since the Shencottah taluk had a light file. In 1043, however, the Court was made a full-timed Munsiff's Court which continued till 1072 when the Government proposed to abolish the Court and amalgamate the same with that at Kottarakara. On the representation of the people, the Government kindly cancelled the order and entrusted the Tahsildar with civil functions. That arrangement continued till 1082, but not with success, or convenience to the people. In 1082 a Magistrate-Munsiff was appointed and he continued till 1087 when the Court was removed to Kottarakara. In 1090 the Court was restored, the Tahsildar being both a Munsiff and a Magistrate. Such an arrangement was highly undesirable in view of the fact that the Tahsildar had to come in close contact with the people and was thus likely to get prejudiced for or against a particular party in civil and criminal cases which he had to dispose of. Again, the combination of four functions in one and the same officer, *viz.*, Revenue, Magisterial, Civil, and Municipal, was highly objectionable, as it was a serious handicap to the duties of one branch at least out of the four mentioned above being performed satisfactorily. The result was that the people suffered. If the establishment of a separate Munsiff's Court was not feasible as it might not be self-supporting, the villages of the adjacent Pathanapuram taluk lying near the Railway line might be added to the territorial jurisdiction of the proposed Shencottah Munsiff. If that suggestion did not appeal to Government, a Revenue Tahsildar and President of the Town Improvement Committee might be separately appointed, the